



## A Digital Single Market for Creativity and Innovation: Reforming Copyright Law without curtailing Internet Freedoms

### Open letter

Brussels, 07 April 2016

Dear President Juncker,  
Dear First Vice-President Timmermans,  
Dear Vice-President Ansip,  
Dear Commissioner Oettinger,  
Dear Commissioner Jourová,  
Dear Commissioner Bieńkowska,  
Dear Commissioner Navracsics,

The signatory organisations of this open letter look at the issue of copyright from different perspectives but we all underline that current EU legislation fails to deliver a framework that incentivises creativity, research and innovation in Europe. Therefore we welcome the European Commission's determination to modernise EU copyright laws.

This long-awaited reform offers a unique opportunity to adapt the legislative framework to the challenges and opportunities brought by information and communication technologies.

The signatory organisations are committed to Europe's Digital Single Market. **We ask you now to deliver an ambitious reform that is fit for purpose in the digital environment and that upholds and strengthens fundamental principles such as the limitation of intermediaries' liability, rights of citizens to freedom of communication and access to knowledge.**

We are concerned that **these objectives could be seriously jeopardised if the rules on responsibility and liability of intermediaries are tightened.** Amending the definition of the rights of "communication to the public" and of "making available" in the way advocated by certain rights holders would destroy the Internet as we know it.

Basic every day activities of online users, such as posting, linking, embedding photos or videos online would be subject to a cloud of legal uncertainty. This could result in intermediaries limiting the use of their platforms, meaning citizens and creators would have fewer places to express themselves - with a consequent reduction in creative output and revenues. Additionally, this would not help creators to achieve the right level of transparency on data and revenue flows they have been requesting for years.

Consumers, businesses, creators, distributors, cultural organisations, broadcasters and public institutions heavily rely on copyright laws. The everyday activities of all these groups depend on a clear legal framework.

Because of outdated copyright laws, consumers often face restrictions to access and use creative content. Companies and public institutions have to overcome many obstacles to operate across borders because of the legal fragmentation of 28 different national copyright regimes (for example in the field of private copying levies and exceptions and limitations).

**Our laws should allow companies to do business across the EU, give individuals the possibility to access and use cultural goods, enable researchers to collaborate across borders using the latest technologies and help creators make a living from their work and contribute to Europe's rich cultural heritage.**

EU copyright law must allow the EU to lead the global digital economy and create a legal environment where creators, consumers and businesses alike can flourish in the Single Market.

We look forward to co-operating with you in the modernisation of the EU's copyright framework.

Yours sincerely,

## List of signatory parties

---

**BEUC** - The European Consumer Organisation

**C4C** - Copyright for Creativity

**EDRI** - European Digital Rights

**DIGITALEUROPE**

**AFNUM** - Alliance Française des Industries du Numérique

**APDETIC** - Association of the Producers and Dealers of ICT

**BITKOM** - Federal Association for Information Technology

**CCIA** - Computer and Communications Industry Association

**CDT** - Center for Democracy & Technology

**Centrum Cyfrowe**

**Communia** - Association for the Public Domain

**EBLIDA** - European Bureau of Library, Information, and Documentation Associations

**EuroISPA** - European Internet Services Providers Associations

**EIFL** - Electronic Information for Libraries

**FFTI** - Federation of Finnish Technology Industries

**IFLA** - International Federation of Library Associations and Institutions

**IGEL** - Initiative Gegen Ein Leistungsschutzrecht (Initiative against an ancillary copyright law for press publishers)

**Kennisland**

**La Quadrature du Net**

**LACA** - Libraries and Archives Copyright Alliance

**LIBER** - Association of European Research Libraries

**Mozilla**

**NEMO** - Network of European Museum Organisations

**OFE** - OpenForum Europe

**ORG** - Open Rights Group

**SA&S** - Samenwerkingsverband Auteursrecht en Samenleving (Partnership Copyright & Society)

**SEPE** - Digital Insight

**SFIB** - Syndicat de l'industrie des technologies de l'information

**X-Net**

**ZIPSEE** - Digital Poland